DOCKET NO.: PHOE-0060 PATENT

Application No.: 09/775,693 **Office Action Dated:** July 31, 2006

This listing of claims will replace all prior versions, and listings, of claims in the application.

Listing of Claims:

1. (Currently amended) A method for identifying a cancer patient <u>suffering from</u> hepatoma or sarcoma who is susceptible to arginine deprivation therapy comprising the steps:

- a) obtaining a cancerous hepatoma or sarcoma tumor sample from the cancer patient; and
- b) detecting the presence or absence of argininosuccinate synthetase protein in said eancerous hepatoma or sarcoma tumor sample, wherein the absence of argininosuccinate synthetase protein in said eancerous hepatoma or sarcoma tumor sample is indicative of a cancer patient who is a candidate for arginine deprivation therapy and the presence of argininosuccinate synthetase protein in said eancerous hepatoma or sarcoma tumor sample is indicative of a cancer patient who is not a candidate for arginine deprivation therapy.
- 2. (Currently amended) The method of claim 1 wherein prior to, simultaneous with, or after testing the eancerous hepatoma or sarcoma tumor sample, the method further comprises the steps of:
- c) obtaining a non-cancerous sample of the corresponding tissue from the cancer patient; and
- d) detecting the presence or absence of argininosuccinate synthetase protein in said non-cancerous sample, wherein the absence of argininosuccinate synthetase protein in said non-cancerous sample and the absence of argininosuccinate synthetase protein in said eancerous hepatoma or sarcoma tumor sample is indicative of a cancer patient who is not a good candidate for arginine deprivation therapy, wherein the presence of argininosuccinate synthetase protein in said non-cancerous sample and the absence of argininosuccinate synthetase protein in said eancerous hepatoma or sarcoma tumor sample is indicative of a cancer patient who is a good candidate for arginine deprivation therapy, and wherein the presence of argininosuccinate synthetase protein in said eancerous hepatoma or sarcoma tumor sample is indicative of a cancer patient who is not a candidate for arginine deprivation therapy.

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3-5. (Canceled)

6. (Previously presented) The method of claim 1 wherein the presence or absence of

argininosuccinate synthetase protein is detected using a technique selected from the group

consisting of Western blotting, ELISA, enzyme assays, slot blotting, electrophoresis, and

immunohistochemistry.

7. (Previously presented) The method of claim 1 wherein the presence or absence of

argininosuccinate synthetase protein is detected using ELISA.

8-26. (Canceled)

27. (Currently amended) The method of claim 1 wherein argininosuccinate synthetase

protein in said eancerous hepatoma or sarcoma tumor sample is detected comprising the steps

of:

a) contacting the cancerous hepatoma or sarcoma tumor sample of the cancer patient

with an antibody specific for an argininosuccinate synthetase protein, or portion thereof; and

b) detecting binding of the antibody to said argininosuccinate synthetase protein, or

portion thereof, in said eancerous hepatoma or sarcoma tumor sample wherein the absence of

binding of the antibody to said argininosuccinate synthetase protein is indicative of a cancer

patient who is a candidate for arginine deprivation therapy and the presence of binding of the

antibody to said argininosuccinate synthetase protein in said cancerous hepatoma or sarcoma

tumor sample is indicative of a cancer patient who is not a candidate for arginine deprivation

therapy.

28-30. (Canceled)

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31. (Previously presented) The method of claim 27 wherein said antibody has a detectable label.

32. (Previously presented) The method of claim 31 wherein said detectable label is radioactive, fluorescent, or chromomorphic.

- 33. (Previously presented) The method of claim 31 wherein said detectable label is ¹³¹I, ¹²⁵I, ¹⁴C, ³⁵S, ³²P, or ³³P.
- 34. (Previously presented) The method of claim 31 wherein said detectable label is fluorescein, phycolipoprotein, or tetrarhodamine isothiocyanate.
- 35. (Previously presented) The method of claim 31 wherein said detectable label is an enzyme.
- 36. (Previously presented) The method of claim 31 wherein said detectable label has a visible color.